

Application No.: 10/599,722
Filing Date: September 19, 2008

REMARKS

Claims 1-8 have been amended herein, Claims 9-10 have been cancelled, and new Claims 11-24 have been added. Support for the new claims can be found in the Specification and the originally filed claims. Accordingly, Applicants submit that no new matter has been introduced with these amendments or new claims.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

Co-Pending Applications of Assignee

Applicant wishes to draw the Examiner's attention to the following co-pending applications of the present application's assignee.

| Docket No. | Serial No. | Title | Filed |
|--------------|------------|--|------------|
| SMNPH.002C1 | 12/416829 | APPARATUS FOR ASPIRATING, IRRIGATING AND CLEANSING WOUNDS | 04/10/2009 |
| SMNPH.003APC | 10/576263 | WOUND CLEANSING APPARATUS WITH ACTIVES | 11/09/2006 |
| SMNPH.004APC | 10/575875 | WOUND CLEANSING APPARATUS WITH HEAT | 02/01/2007 |
| SMNPH.005APC | 10/575871 | WOUND CLEANSING APPARATUS IN- SITU | 01/29/2007 |
| SMNPH.006APC | 10/575870 | WOUND CLEANSING APPARATUS WITH SCAFFOLD | 04/17/2006 |

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| SMNPH.007C1 | 11/957860 | WOUND CLEANSING APPARATUS WITH STRESS | 12/17/2007 |
| SMNPH.009APC | 10/599725 | APPARATUS FOR CLEANSING WOUNDS WITH MEANS FOR SUPPLY OF THERMAL ENERGY TO THE THERAPY FLUID | 09/22/2008 |
| SMNPH.010APC | 10/599728 | APPARATUS FOR ASPIRATING, IRRIGATING AND/OR CLEANSING OF WOUNDS | 11/03/2008 |
| SMNPH.011APC | 10/577,642 | SIMULTANEOUS ASPIRATE & IRRIGATE & SCAFFOLD | 08/23/2007 |
| SMNPH.014APC | 11/919355 | WOUND TREATMENT APPARATUS AND METHOD | 10/26/2007 |
| SMNPH.015APC | 11/919369 | WOUND TREATMENT APPARATUS AND METHOD | 10/26/2007 |
| SMNPH.016APC | 11/919354 | WOUND TREATMENT APPARATUS AND METHOD | 10/26/2007 |
| SMNPH.017APC | 12/066578 | APPARATUS WITH ACTIVES FROM TISSUE | 03/12/2008 |
| SMNPH.018APC | 12/066730 | APPARATUS WITH ACTIVES FROM TISSUE | 10/09/2008 |
| SMNPH.019APC | 12/066585 | APPARATUS | 03/12/2008 |

The Applicants direct the Examiner to these applications to consider whether the subject matter claimed, now or as may be amended in the future, as well as the associated prosecution history, now or in the future, may be relevant to the patentability of the present application (e.g., for reasons of patentability or obviousness-type double patenting). Applicants believe that the Examiner has access to the applications and associated file histories through the Patent Office (e.g., the IFW system). Accordingly, Applicants have not provided copies of these applications or their associated file histories. Applicants would be happy to provide copies of any of these applications or their associated file histories, now or in the future, should the Examiner so request.

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Please charge any fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated: Aug. 26, 2009

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